

In the Figures:

Please add Figure 11 as set forth in the enclosed drawing sheet.

REMARKS

In response to the final Official Action of July 31, 2009, claims 1 and 14 have been amended to more particularly point out and distinctly claim the invention. No new matter is added. Applicant's attorney would like to thank Examiner Ngo for his helpful comments made during a telephone interview with the undersigned attorney on October 29, 2009. At that time, applicant's attorney discussed with Examiner Ngo proposed amendments to claims 1 and 14 which Examiner Ngo indicated would overcome the rejection of said claims under 35 USC §101.

Applicant's attorney also discussed with Examiner Ngo the submission of a Figure 11 which corresponds to the description of the electronic device as set forth in the application as originally filed; namely, in the Summary of the Invention section at page 10, line 15 through page 11, line 6. Amendment is also made to the specification to add Figure 11 to the Description of the Drawings, as well as to reference the elements shown in Figure 11 in the Detailed Description. The submission in the Detailed Description corresponds to the language originally set forth in the Summary of the Invention section as noted above.

It is respectfully submitted that no new matter is added since the originally filed application contains a complete description of the electronic device in sufficient detail to allow one of ordinary skill in the art to be able to make and use the electronic device without undue experimentation. Thus, the re-recitation of the portion of the Summary of the Invention section with regard to describing the elements in newly submitted Figure 11 is apparent to one of ordinary skill in the art based upon the original disclosure in the specification. The drawings thus meet the requirements of 37 CFR 1.83(a) and MPEP §608.02(d) with respect to all of the claims, including claims 14 and 15.

Claim Rejections - 35 USC §101

At section 2, claims 1-5, 7-10, and 14-20 are rejected under 35 USC §101 as directed to non-statutory subject matter. With respect to these claims, it is asserted that the claims are directed to inventions that merely perform calculations and manipulations of data according to a mathematical algorithm for determining a similarity between two data strings and that it is clear that with respect to these claims, the claimed invention is

directed to calculations and manipulations of data, but fail to limit the calculations and manipulations of data to any practical application or to be implemented by any specific device.

Independent claim 1 has been amended to specifically recite that the receiving of the first data string and the second data string is in an electronic component as fully described in the application as originally filed, including page 10, lines 19-24. Furthermore, the actions of: determining pairs of consecutively following data entities in said first data string, determining the relative position of said pairs of consecutively following data entities in said first data string, allocating a position label to each of said data entities in the first data string, numbering said data entities according to their relative position in accordance with the position label, determining similar data entities with the same order in said second data string, determining the relative positions of said determined data entities in said second data string, determining a matching measure by determining how far the relative positions of data entities in said second data string match with the relative positions of consecutively following data entities in said first data string, determining a similarity measure which corresponds to the matching measure of the at least one comparison result, and repeating said determination of said similarity measure with a number of received second data strings, is by a processing unit.

Furthermore, it is also pointed out in amended claim 1 that the outputting of said determined similarity measures for said data strings according to the amount of similarity to said first data string is by an interface. The processing unit and interface are also fully disclosed in the application as originally filed, including page 10, line 26 through page 11, line 6. Therefore, it is respectfully submitted that amended claim 1 is set forth in a manner which shows that it is implemented by a specific device. Therefore, it is respectfully submitted that amended claim 1 meets the first prong of the *In re Bilski* test; that is, it is directed to a method which is tied to a particular machine or apparatus that imposes meaningful limits on the claim scope.¹

¹ Applicant's attorney notes that Examiner Ngo indicated that such structural recitations in independent claims 1 and 14 would not alone meet the first prong of the *Bilski* test.

Finally, the actions of claim 1 are now limited to practical applications as set forth in the original application as filed. Thus, amended claim 1 also meets the second prong of the Bilski test.

Furthermore, independent electronic device claim 14 sets forth the additional features that the first data string of entities and the second data string of entities are data strings relating to one of a number of specific practical applications, including associative text string, genome analysis, speech recognition, and musical melody. As such, it is respectfully submitted that claim 14 meets both prongs of the *In re Bilski* test.

Since each of the independent claims is believed to recite statutory subject matter, it is respectfully submitted that dependent claims 2-5, 7-10, and 15-20 also meet the statutory subject matter test at least in view of such dependency.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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